

February 9, 1978

LR 63

SENATOR DeCAMP: ....in opposite ends of the pole on this issue but let's not destroy the system, the judiciary system. Let's not destroy our executive system and our legislative system by having this type of stuff involved in this battle.

PRESIDENT: The question is, shall....Yes, sir.

SENATOR CHAMBERS: A call of the House and a roll call vote.

PRESIDENT: The question is, shall the House go under Call? Record your vote. Record.

CLERK: 31 ayes and 0 nays to go under Call, Mr. President.

PRESIDENT: All right. The House is under Call. All non-senatorial personnel please leave the floor. The Sergeant at Arms shall secure the presence of all members. All members return to your desks and record your presence. We will not commence the roll until all members have recorded their presence. Do we have any excused absences? Senator Lewis was absent. We have two absences. Senator Fitzgerald and Senator Lewis. Please record your presence. Please record your presence. Senator Movlan. All right, commence the roll. The question is, shall LR 63 be indefinitely postponed? Commence the roll.

CLERK: Roll call vote taken. (See pages 523 and 524, Legislative Journal.)

PRESIDENT: Senator Koch, do you want to correct your vote?

CLERK: Senator Koch changing from aye to nay.

PRESIDENT: Senator Kelly. Senator Kelly votes no. Is that correct, Senator Kelly? You are voting nay. That is correct. That is correct. All right, voting aye.

CLERK: Senator Kelly changing from no to aye. 23 ayes, 24 nays, Mr. President.

PRESIDENT: The motion to kill fails. Do you have anything further, Mr. Clerk?

CLERK: I have nothing further on the resolution, Mr. President.

PRESIDENT: 23-24. Senator Barnett, are you ready for the vote, the advancement of the resolution to E & P Final? Are you ready? All right. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I just want to ask Senator Schmit a couple of questions, and I am not going to prolong the discussion. Senator Schmit, if you are very busy, I won't insist but you said that your reason for being in favor of the death penalty is to protect the citizens. Are you aware that there have been over fifty homicides since the enactment of the death law in Nebraska?

SENATOR SCHMIT: That is right.

SENATOR CHAMBERS: Are you aware that there are four people sitting on death row now?

SENATOR SCHMIT: I am, Senator.

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